

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW ANTHONY MARSHALL,

Defendant.

CR 20-32-M-DWM

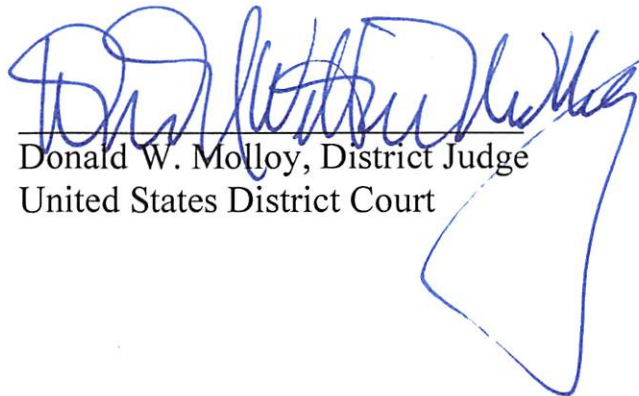
ORDER

The Court previously denied the defendant's motion to continue deadlines and substitute counsel for his current CJA counsel. (Doc. 107.) The Court subsequently held an ex parte hearing on the request to substitute counsel on May 10, 2021. In light of that hearing, the government is directed to respond to the following question:

Does an indigent defendant have a right to counsel of his choice under the Sixth Amendment if he is not personally funding that counsel? *See United States v. Rewald*, 889 F.2d 836, 856-57 (9th Cir. 1989); *see also Schell v. Witek*, 218 F.3d 1017, 1025-26 (9th Cir. 2000). Counsel should be sure to address the unique procedural circumstances of this case, particularly whether the Classified Information Procedures Act has any bearing on this issue.

IT IS ORDERED that the government's response to this question shall not exceed 10 pages and shall be due on May 14, 2021.

DATED this 10<sup>th</sup> day of May, 2021.



Donald W. Molloy, District Judge  
United States District Court